

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

IN RE YASMIN AND YAZ)	3:09-md-02100-DRH-CJP
(DROSPIRENONE) MARKETING,)	
SALES PRACTICES AND PRODUCTS)	
LIABILITY LITIGATION)	MDL No. 2100

**APPLICATION OF CHRISTOPHER A. SEEGER FOR
APPOINTMENT TO PLAINTIFFS' STEERING COMMITTEE**

This Application is submitted pursuant to this Court's Initial Conference Order, dated October 23, 2009, in support of my application for appointment to the Plaintiffs' Steering Committee (the "PSC") in these MDL proceedings.

I am founding partner of the firm Seeger Weiss LLP, a twenty seven-lawyer firm with offices in New York, New Jersey, Pennsylvania, and California. Seeger Weiss LLP is one of nation's leading trial law firms handling complex individual, mass and class action litigation on behalf of injured persons, consumers, and investors. The firm represents plaintiffs in a variety of practice areas, with particular emphasis on pharmaceutical injury, product defect, securities and investment fraud, consumer protection, environmental and asbestos exposures, personal injury and medical malpractice, antitrust, and commercial disputes. The Firm is made up of experienced litigators, including former state and federal prosecutors. Seeger Weiss' reputation for leadership and innovation has resulted in its appointment to numerous plaintiffs' steering or executive committees in a variety of multidistrict litigations throughout the United

States, and it regularly serves as court-appointed Liaison Counsel in New York and New Jersey federal and state courts.

I have personally served, and in some cases continue to serve, in leadership roles in many major pharmaceutical MDLs throughout the country, including but not limited to: *In re Chinese-Manufactured Drywall Products Liability Litig.* (MDL No. 2047) (Plaintiffs' Steering Committee); *In re Vioxx Prod. Liab. Litig.* (MDL. No. 1657) (Co-Lead); *In re Zyprexa Products Liability Litig.* (MDL No. 1596) (Liaison Counsel); *In re Vytorin/Zetia Marketing, Sales Pract.s & Prod. Liab. Litig.* (MDL No. 1938) (Co-Liaison Counsel); *In re: Bextra and Celebrex Marketing Sales and Prod. Liab. Litig.* (MDL No. 1699) (Plaintiffs' Steering Committee); *In re Fosamax Products Liability Litig.* (MDL No. 1789) (Plaintiffs' Steering Committee and Liaison Counsel); *In re Gadolinium-Based Contrast Agents Products Liability Litig.* (MDL No. 1909) (Plaintiffs' Steering Committee); *New Mexico United Food and Commercial Workers Union, et al v. Perdue Pharma LP*, No.07-CV-6916-JGK (S.D.N.Y.) (Co-Lead); *In re Propulsid Products Liability Litig.*, (MDL No. 355) (Plaintiffs' Steering Committee); *In re Rezulin Products Liability Litig.*, (MDL No.1348) (Plaintiffs' Steering Committee); and *In re PPA Products Liability Litig.*, (MDL No. 1407) (Plaintiffs' Steering Committee). I have also served as liaison counsel in several state court coordinated product liability litigations, including *In re Vioxx Products Liability Litig.* in New Jersey, and *In re Rezulin Products Liability Litig.* and *In re PPA Products Liability Litig.* in New York.¹

¹ Additionally, for *In re MCI Non-Subscriber Telephone Rates Litigation*, an \$88 million class settlement completed before Your Honor following a transfer to the Southern District of Illinois by the JPML, I served as Chair of the Discovery Committee and was a member of the negotiating team. Final approval of the class settlement was entered in March 2001 resolving claims brought by class members to recover overcharges arising from MCI's improper imposition of non-subscriber rates and surcharges on certain of its customers.

In these cases and through these appointments, I have experience resolving cases either by negotiation or trial. In the *Vioxx* litigation, for example, as part of my position as a Co-Lead Counsel, I served on the Negotiating Committee which resulted in the landmark \$4.85 billion Global Resolution of *Vioxx*-related claims against Merck & Co., entered on November 9, 2007 in United States District Court, Eastern District of Louisiana. I was lead counsel and lead negotiator in the nationwide settlement of all PPA-related injuries resulting from the ingestion of Dexatrim, which received final approval from Judge Rothstein in MDL 1407. I also, along with other counsel on the negotiating team in MDL 1596, successfully negotiated national settlements totaling \$1.2 billion from Eli Lilly & Co. for patients who claimed that they had developed diabetes while taking Zyprexa. Most recently, I was a lead negotiator of a \$41.5 million settlement with Merck & Co., Inc. and Shering-Plough Corporation in the *In re Vytorin/Zetia Marketing, Sales Pract.s & Prod. Liab. Litig.* (MDL No. 1938). In addition, I have also served as a Lead Counsel in numerous types of class actions that resulted in significant settlements for the class, ranging from product defects (i.e. automobiles and computer components) to ERISA matters.

With respect to trial successes, by way of example, I obtained a \$47.5 million jury verdict in 2007 on behalf of Frederick “Mike” Humeston in a *Vioxx*-related personal injury lawsuit in Atlantic City, New Jersey. In 2003, I was the lead trial lawyer in a six-week jury trial against Pfizer on behalf of a woman who was injured by the since-withdrawn diabetes medication, Rezulin. That case, the first Rezulin case tried in New York, resulted in a substantial verdict for the plaintiff.

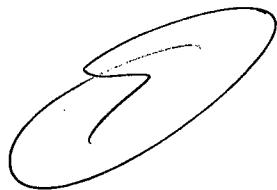
Additionally, Seeger Weiss attorneys have been part of the trial teams for three cases tried in New Jersey that involved Accutane-related injuries, all of which resulted in verdicts for the Plaintiff. One, *McCarrell v. Hoffman-La Roche, Inc.*, in New Jersey Superior Court, Atlantic County, resulted in a \$2.6 million verdict for the Plaintiff, an Alabama resident who suffered IBD from using Accutane. Another, *Kendall v. Hoffman-La Roche, Inc.*, in the same court, resulted in a verdict for the Plaintiff of nearly \$10.6 million. The third, a consolidated trial for *Mace v. Hoffmann LaRoche Inc., Speisman v. Hoffmann LaRoche Inc.*, and *Sager v. Hoffmann LaRoche Inc.*, garnered a \$12.9 million award from the New Jersey jury in November 2008.

With respect to Yaz and Yasmin cases in this MDL, my firm has filed several cases in federal court and anticipates that we will be filing hundreds more in the coming months. If asked to serve on the Plaintiffs' Steering Committee, I do not foresee any conflicts or strain on my firm's resources.

WHEREFORE, it is respectfully requested that Christopher A. Seeger be appointed to Plaintiffs' Steering Committee.

Dated: November 9, 2009

Respectfully Submitted,



Christopher A. Seeger
SEAGER WEISS LLP
One William Street
New York, New York 10004
Phone: (212) 584-0700